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11 *Attorneys for Plaintiff Snap Lock Industries, Inc.*

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 **SNAP LOCK INDUSTRIES, INC.,**

15 Plaintiff,

16 vs.

17 **SWISSTRAX CORPORATION,**

18 Defendant.

Case No. 2:17-cv-02742-RFB-PAL

**JOINT MOTION AND STIPULATION TO  
AMEND DISCOVERY PLAN AND  
SCHEDULING ORDER  
(SECOND REQUEST)**

19  
20 Pursuant to Local Rule 26-4 and Local Rule IA 6-1, Plaintiff Snap Lock Industries, Inc.  
21 (“Snap Lock”) and Defendant Swisstrax Corporation (“Swisstrax”) hereby respectfully jointly move  
22 this Court for an entry of an Amended Discovery Plan And Scheduling Order.

23 1. On May 8, 2018, the Court entered a Discovery Plan and Scheduling Order (the  
24 “Scheduling Order”) in this case, which set several case deadlines. *See* ECF No. 59. The Scheduling  
25 Order scheduled the discovery deadline on September 10, 2018, the dispositive motions deadline on  
26 October 10, 2018, and the deadline for filing the joint pretrial order on November 9, 2018. *See id.*  
27  
28

1           2.       In conformance with LR 26-1, the Scheduling Order provided that the last date to  
2 disclose experts pursuant to Fed. R. Civ. P. 26(a)(2) was July 11, 2018, and the last date to disclose  
3 rebuttal experts was August 10, 2018. *See* ECF No. 59.

4           3.       On May 18, 2018, the parties jointly requested that the discovery cutoff, dispositive  
5 motion deadline, and date for filing the joint pretrial order each be extended by approximately five  
6 weeks. *See* ECF No. 61.

7           4.       On May 22, 2018, the Court entered an Order extending the discovery cutoff,  
8 dispositive motion, and date for filing the joint pretrial order as requested in the parties' motion. *See*  
9 ECF No. 62.

10          5.       Due to extraordinary circumstances relating to both the parties and counsel, no  
11 discovery has been completed in this action to date, beyond the disclosures provided in the parties'  
12 briefings on the pending motion for preliminary injunction and in the parties' initial disclosures.

13          6.       To provide the parties sufficient time to conduct written discovery and depositions  
14 prior to the deadline for filing expert disclosures under Rule 26(a)(2), and to conform the Scheduling  
15 Order with LR 26-1, which provides that the deadline for expert disclosures be 60 days prior to the  
16 discovery cut-off and that rebuttal-expert disclosures be made 30 days after the initial disclosure of  
17 experts, both parties hereby jointly request the Court to modify the deadlines in the Scheduling Order  
18 such that the last date to disclose experts pursuant to FRCP 26(a)(2) be extended from July 11, 2018  
19 to August 20, 2018 and the last date to disclose rebuttal experts be extended from August 10, 2018 to  
20 September 28, 2018.

21          7.       This is the first request for an extension of these deadlines.

22          8.       Good cause exists for this request. No written discovery or depositions have been  
23 completed to date and modifying the deadlines for expert disclosures will permit the parties to take  
24 discovery in this action in order to properly evaluate the issues in the case and prepare thorough  
25 expert reports. This request will also conform the Scheduling Order in this case to LR 26-1. No  
26 party will be prejudiced by the extension requested.

27          9.       For these reasons, the parties respectfully request that the Court grant this Joint  
28 Motion and extend the deadlines in the Scheduling Order as follows:

Deadline	Existing Date per Scheduling Order (ECF No. 59)	Proposed New Date
Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2)	July 11, 2018	August 20, 2018
Last date to disclose rebuttal experts	August 10, 2018	September 28, 2018

10. The parties propose that all other deadlines remain as set in the current Scheduling Order.

Dated this 10th day of July, 2018.

DORSEY & WHITNEY LLP

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### ORDER

IT IS SO ORDERED:

Hon. Peggy A. Leen

United States Magistrate Judge

DATED: July 12, 2018